



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

Norman H. Bangerter

Governor

Dee C. Hansen

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Robert L. Morgan

State Engineer

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March 14, 1990

Mr. Luke Duncan, Chairman
Ute Indian Tribe
P.O. Box 190
Fort Duchesne, UT 84026

Dear Mr. Duncan:

RE: Uintah & Lake Fork River Commissioner
Memorandum of Understanding

Yesterday, we met with the BIA and the Associated Water Users of the Uintah and Lake Fork Rivers to select a commissioner and establish a budget for the distribution of water during 1990. The group conducted its business, however, the distribution system was not officially placed under the jurisdiction of the State Engineer because the tribe was not represented at the meeting.

The unresolved issue is the Memorandum of Understanding (MOU) between the tribe, the state, and the BIA concerning the commissioners responsibilities and authority. The MOU was discussed at our meeting at the end of January and a draft was sent out at the first of March. The draft was sent to Curtis Cesspooch at his request, however, it appears we erred in not also sending a copy to you.

Enclosed is a copy of the draft MOU for your review. As soon as an agreement can be reached on the MOU, the State Engineer can officially appoint the River Commissioner and provide him with the assistance he needs in distributing the water of the Uintah and Lake Fork Rivers.

If you have any questions concerning the MOU, please contact me at (538-7380) or Bob Morgan, State Engineer (538-7370) or John Maybe, Assistant Attorney General (538-7227).

Sincerely,

Lee H. Sim
Directing Engineer for
Adjudication/Distribution

LHS/sw

Enclosure